

## Nebraska Foster Care Review Board

### Local Review Board Findings and Recommendations

Neb. Revised Statutes 43-285 (6). Any written findings or recommendations of the State Foster Care Review Board or a designated local Foster Care Review Board with regard to a juvenile in foster care placement submitted to the Court having jurisdiction over such juvenile shall be admissible in any Court proceedings concerning the juvenile if such findings or recommendations have been provided to all other parties of record.

<b>Board No./Location</b>	_____	<b>Docket/Case Number</b>	_____
<b>Board Meeting Date</b>	_____	<b>Date Next Court Hearing</b>	_____
<b>Review Number</b>	1	<b>Date of Next FCRB Review</b>	08/10
<b>Agency/Area</b>	_____	<b>County of Court</b>	_____

**Confidential** - Unauthorized disclosure of this report or any of its contents is a Class III misdemeanor under Nebraska Law.

**In the Matter of:**

Child's Name	Birthdate	Age	Times in Care	Total Number of Placements	Time in Current Placement	Total Time in Care	% Of Life In Care
C____, Anna	_____	8m	1	2	1m	8m	100%

<b>Permanency Objective:</b>	Reunification concurrent with Adoption (Case plan 08/21/09)
<b>Target Date:</b>	11/20/09
<b>Number CFS Specialists:</b>	Two with the current worker assigned 09/04/09.
<b>DHHS Last Visit:</b>	01/22/10 (CM conversation 02/08/10)
<b>Number Service Coordinators:</b>	One assigned 01/21/10. (Transferred 01/21/10)
<b>Service Coordinator Last Visit:</b>	01/10 (SVC conversation 02/17/10)
<b>GAL Last Visit:</b>	The 08/21/09 GAL report documented no contact with Anna. Current information is not available.

Name	Relationship To the Case	Questionnaire Sent	Returned	Review Invited	Attended	Findings Submitted
Hon. ____name]_____	Judge	n/a	n/a	n/a	n/a	Yes
____[name]_____	County Attorney	n/a	n/a	n/a	n/a	Yes
____[name]_____	Guardian ad litem	Yes	No	Yes	No	Yes
____[name]_____	CFS Specialist	Yes	phone	Yes	No	Yes
____[name]_____	CFS Supervisor	n/a	n/a	n/a	n/a	Yes
____[name]_____	CFS Administrator	n/a	n/a	n/a	n/a	Yes
____[name]_____	Service Coordinator	Yes	No	Yes	Yes	Yes
____[name]_____	SC Manager	n/a	n/a	n/a	n/a	Yes
____[name]_____	Mother's Atty.	Yes	No	Yes	No	Yes
____[name]_____	Father's Attorney	Yes	No	Yes	No	Yes
Kay C.	Mother	Yes	No	Yes	No	No
Brad W.	Identified Father	Yes	No	Yes	No	No
Foster Parents	Placement	Yes	Phone	Yes	No	No

*Example with names changed to preserve confidentiality.*

**BOARD'S RECOMMENDATIONS AND FINDINGS**

**Given Ms. C's poor history with CPS and continued substance abuse, the Board cannot support reunification at this time.**

- Ms. C. has an extensive history of substance abuse and has not been successful in multiple treatment attempts.
- Ms. C. has lost custody of her two older children.
- Ms. C. was already involved with CPS and had services in place when she gave birth to Anna, who tested positive for methamphetamine.
- Ms. C. is not being compliant with all court ordered services and has continued to test positive for methamphetamine.
- Ms. C. has made little to no progress towards reunification after eight months of services.

**Because Ms. C. appears to require assistance to stay motivated and focused on her case plan, the Board recommends that the Department determine if a Parent Partner would be beneficial for Ms. C.**

**The Board does not support visitation with Mr. W. as he has not developed a relationship with Anna due to his incarceration and visiting in the prison setting is not in Anna's best interest.**

**The Board also recommends that the Department ensure that Anna receives all necessary evaluations and services through LPS and the Early Development Network to assist her with her development and milestones.**

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**Reason(s) Entered Care:**

Kay C. has a history with CPS regarding substance abuse issues and does not have custody of her two older children. She was involved in an active CPS case in Omaha regarding her daughter, D\_\_\_\_, when she gave birth to Anna on 06/27/09. Anna was tested after her birth and her urine screen was positive for methamphetamine. Ms. C. admitted that she had used methamphetamine the day before Anna was born. The Department was granted temporary custody and Anna was placed into foster care upon her discharge from the hospital. A petition was filed against Ms. C. and a second petition was filed against Brad W. regarding his criminal history and inability to provide for Anna after it was determined that he was her father. (Initial assessment, affidavit for custody, petitions, NFOCUS placement history)

**Court Information:**

- Adjudication §43-247 (3a) on 07/31/09 for Ms. C. and 01/08/10 for Mr. W.
- Court hearings are occurring every six months.
- The court has adopted the most recent case plan.
- Paternity has been established through genetic testing and court order.
- Child support has been ordered for Ms. C. in the amount of \$50 per month starting 11/01/09. (Order)
- ICWA is not applicable.

**Child's Placement:**

- Type of Placement: Foster Home – Agency Based
- Date at Placement: 01/22/10
- Anna is placed in a \_\_\_\_ agency based foster home in Lincoln that consists of the foster parents, their three children ages 12, 17, and 18-yrs, and one other infant foster child. Anna has transitioned well to this home and the foster parents are willing to provide permanency through adoption if reunification is not successful. When it was learned Anna had to be moved from her previous placement, the Department contact the paternal grandmother to see if she was interested in placement but she did not respond to messages left by the case manager. (NFOCUS, CM conversation 02/08/10)
- A current homestudy was found in case file.
- There was an intake and investigation on the child's placement in 2007 that was unfounded.
- The child's placement was given education at the time child was placed.
- The child's placement was given health information at the time child was placed.
- The child has not been physically or chemically restrained or secluded in their current placement.

**Child's Services:**

- The DHHS case file included updated health information.
- The DHHS case file included updated educational information.

**Child's Information:****Health/Medical:**

- Anna has had regular visits to the doctor and has struggled with breathing issues due to reoccurring bronchitis. Her health continues to be monitored. (CM conversation 02/08/10)

**Education:**

- Anna attends daycare with her foster sibling and is doing well. She was evaluated and has an IFSP, but limited services have been provided. The Department would like Anna to be reassessed for services as she appears to be delayed and showing signs of Torticollis. She is just starting to roll over and will only roll in one direction. (IFSP, CM conversation 02/08/10)
- Does the child have an IFSP? Yes

**Mental Health/Behaviors:**

- Due to her young age, there are no mental health or behavioral concerns at this time.

**Parent Information:**

**Mother:** Kay C. (date of birth) is the mother of H\_\_\_\_, D\_\_\_\_, and Anna, and also had a child who was stillborn in 08/97. H\_\_\_\_ and D\_\_\_\_ were removed from Ms. C's care in 05/08 due to her substance abuse issues. The children are now placed with their fathers. Ms. C. has been through treatment five times previously and has either left or been unsuccessfully discharged from all of them. She has utilized methamphetamine since the age of 14-yrs and also reported using marijuana, cocaine, and alcohol. She was involved with Clyde, father of H\_\_\_\_, off and on from age 12-21 and married Dennis C., father of D\_\_\_\_, in 01/06 and divorced in 08/09. Ms. C. has been involved with Ms. B. for three years. Ms. C. admitted getting pregnant on purpose as she and Ms. B. wanted to raise a child together. Ms. C. has

criminal charges for insufficient funds, interfering with official acts, vandalism, and larceny. She dropped out of school in the 9<sup>th</sup> grade after spending approximately a year in a psychiatric hospital. She has been diagnosed with mental health concerns. (CFA 07/09)

**Father:** Brad W. (DOB) is the father of Anna. He has an extensive criminal history and is currently incarcerated in the Nebraska State Penitentiary. He is serving 1-2 years for Possession of Hydrocodone. His sentence started on 09/16/09 and he has a projected release date of 08/30/10. Mr. W. has expressed an interest in having visitation with Anna and would like to seek custody once he is released from prison. (Genetic test result, DOC website, Justice website, letter to CM 12/09)

**Services: According to the 09/19/09 court order, Ms. C. shall:**

Services	Offered by DHHS	Court Ordered	Compliant	Narrative / Verification
Family Support	Yes	Yes	Partial	She has not always participated or been cooperative. (CM conversation 02/08/10)
Parenting Education	Yes	Yes	Partial	This was to be taught through family support but Ms. C. has not consistently participated. (CM conversation 02/08/10)
Appropriate Housing	N/A	Yes	No	She has received a housing voucher but has not found a place to live. She continues to live with the Ms. B. (CM conversation 02/08/10)
Legal Source of Income	N/A	Yes	No	She does not have a job. (CM conversation 02/08/10)
Substance Abuse Treatment	Yes	Yes	No	She completed short term residential treatment but was unsuccessfully discharged due to lack of participation. (CM conversation 02/08/10)
Random Drug Testing	Yes	Yes	Yes	She has tested positive, most recently on 02/07/10 for methamphetamine. (CM conversation 02/08/10)
Refrain from Drug use	N/A	Yes	No	She continues to use.
Psychiatric Evaluation	Yes	Yes	Yes	She is prescribed medication but an updated evaluation has been requested by HHS. (CM conversation 02/08/10)
Individual Therapy	Yes	Yes	No	She was to participate in therapy through her IOP but has been discharged. (CM conversation 02/08/10)
Provide Change of Address information	N/A	Yes	Yes	She continues to live with Ms. B. and has not moved. (CM conversation 02/08/10)
Visitation	Yes	Yes	No	See visitation section of report
Ms.B. shall have no visits with Anna	N/A	Yes	Yes	She has not had contact with Anna. (CM conversation 02/08/10)

**Services:** Ms. C. successfully completed short-term residential treatment at \_\_\_\_\_ but has been unsuccessful in her aftercare programming and was discharged. She has tested positive for methamphetamine and also for benzodiazapines after she took the medication of someone else. She has made little to no progress towards reunification since the case started.

**Visitation Plans:**

**Parental:** Ms. C. has supervised visitation at a visitation center, as Ms. C's current residence is not appropriate for Anna to participate in visits there. Ms. C. has been inconsistent in her attendance, canceling visits and ending visits early. (CM conversation 02/08/10)

**Sibling/s Name/Age:**

H\_\_\_\_. (12/05/00), D\_\_\_\_ (12/07/04)

H\_\_\_\_ is in the custody of her father. D\_\_\_\_ is currently involved in a CPS case in Omaha due to Ms. C's substance abuse and is placed with her father. He will get full custody of D\_\_\_\_ when the case closes. There is no sibling visitation at this time.

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\*FCRB Identified Barriers and Recommendations continue on following page.

FCRB  
Code**Barriers to Permanency**

- 223 – Parental substance abuse
- 241 – Lack of parental willingness/ability
- 215 – Economic – housing issues
- 216 – Economic – employment issues
- 240 – Lack of parental visitation

FCRB  
Code**Board's Findings and Rationale**

- A1** Reasonable efforts were made to prevent the child's removal from the home as Ms. C. was receiving services and actively involved with CPS regarding another child when Anna was born.
- B1** The child's current placement appears appropriate and safe.
- C<sub>1</sub> 1** The Board finds that all services regarding the mother are included in the plan as required by Neb. Rev. Stat. 43-285.
- D<sub>1</sub> 3** The Board finds that services regarding the father do not need to be described in the plan as required by Neb. Rev. Stat. 43-285 due to his incarceration and inability to participate in services at this time.
- E<sub>1</sub> 1** The Board finds that all services regarding the child are included in the plan as required by Neb. Rev. Stat. 43-285.
- C<sub>2</sub> 3** The Board finds services are being offered but not utilized consistently by the mother.
- D<sub>2</sub> 5** The Board finds that services for the father are not applicable due to his incarceration.
- E<sub>2</sub> 1** The Board finds that all needed services are in place for the child.
- F4** The Board finds that there is a written plan but it is more than 6 months old at the time of the review.
- G2** No progress is being made towards the permanency objective at this time.
- H2** The Board does not agree with the child's permanency objective of reunification.
- I1** The Department has evaluated the safety of the child and has taken the necessary measures in the plan to protect the child.
- J1** Reasonable efforts are being made by the Department towards the plan of reunification.
- K2** Parental visitation is not occurring with the Mother as ordered as she has been inconsistent with her attendance.
- L2** Parental visitation is not occurring with the Father due to his incarceration.

- M2** Sibling visitation is not occurring.
- N1** There is a continued need for out of home placement.
- O2** The return of the children to the parents is not likely and recommends referral for termination of parental rights and adoption.
- P1** Grounds for termination of parental rights *appears* to exist under the following subsections of §43-292 and termination of parental rights is in the child's best interest.
- (b) 43-292 (2) substantially and ...repeatedly neglected and refused to give the juvenile or a sibling... parental care and protection
  - (d) 43-292 (4) parents unfit...debauchery...liquor...drugs...lewd and lascivious behavior...
  - (f) 43-292 [6] (3)(a) of §43-247...reasonable efforts...under section 43-283.01 ...failed to correct...

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Prepared by (Name):  
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